IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.852 OF 2005
IN
FIRST APPEAL NO. 295 OF 2005

Mr.Gajanan Devram Madhvi ..Applicant
V/s
1.The Special Land Acquisition Officer and Others ..Respondents

Shri Devidas Botkondle for applicant
Shri S.D. Patil for respondents No.3,6 to 10
Shri A.R. Patil, AGP for respondent No.1

CORAM: D.G. DESHPANDE,J.
DATE : 13TH JULY,2005.

P.C.

1. The applicant who has preferred an appeal claiming right on the property acquired by virtue of adverse possession. The learned trial Judge has rejected the right and contention of appellant.The appeal is in respect of receiving possession over the land acquired by the State.Those who are the owners on record,the notices were issued by the acquiring body and therefore, the owners are entitled to receive possession of the land. The stay cannot be further extended. If the appellant has any claim for the property by virtue of adverse possession, he has to file regular civil suit and get a declaration of ownership by adverse possession and then only he can lay his claim on the land.Therefore, for these reasons, stay granted is vacated. Liberty to file suit for declaration is granted. Accordingly, civil application is disposed of.

(D.G.DESHPANDE,J.)